

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANTHONY T. STALEY,

Plaintiff,

v.

HELEN SMART, et al.,

Defendants.

23 Civ. 3546 (DEH)

ORDER

DALE E. HO, United States District Judge:

A referral order issued April 28, 2023, referred this matter to Magistrate Judge Valerie Figueredo for general pre-trial supervision and a report and recommendation on all dispositive motions. *See* ECF No. 8. On September 19, 2023, Defendants moved to dismiss the operative complaint. *See* ECF No. 29. On February 2, 2024, Plaintiff filed a motion to implement, which the Court construes as a request for injunctive relief. *See* ECF No. 53.

On July 30, 2024, Judge Figueredo issued a Report and Recommendation (the “Report”), recommending that the motion to dismiss be granted with respect to Plaintiff’s claims under the Age Discrimination in Employment Act, Title VII of the Civil Rights Act, the anti-retaliation provisions of the Americans with Disabilities Act (“ADA”), and any personal injury claims. *See* Report 32, ECF No. 56. The Report further recommends that Plaintiff’s remaining claims under the ADA, the Rehabilitation Act, for defamation, and for false arrest be dismissed without prejudice and that Plaintiff be granted leave to amend. *See id.* Finally, the Report recommends that Plaintiff be given leave to replead his claims under the New York State Human Rights Law and New York City Human Rights Law. *See id.* The Report also recommends that Plaintiff’s request for injunctive relief be denied. *See id.*

Plaintiff had until August 13, 2024, to file any objections to the Report. *See Fed. R. Civ. P.* 72(b) (giving parties fourteen days to file written objections); *see also* Pro Se Consent to Receive Electronic Service, ECF No. 4. No objections were filed.

In reviewing a magistrate judge's report and recommendation, a district judge "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). "In a case such as this one, where no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record." *Kuan v. Notoriety Grp. LLC*, No. 22 Civ. 1583, 2023 WL 3936749, at *1 (S.D.N.Y. June 9, 2023). The Court has reviewed the Report and has found no error, clear or otherwise.

It is hereby **ORDERED** that the Report is **ADOPTED IN FULL**.

The Clerk of Court is respectfully directed to close the motion at ECF No. 29 and 53.

Dated: August 14, 2024
New York, New York



DALE E. HO
United States District Judge